

MEETING #19 May 12

At a Regular Meeting of the Madison County Board of Supervisors on May 12, 2009 at 3:00 p.m. in the Madison County Administrative Center Auditorium:

PRESENT: Eddie Dean, Chairman
James L. Arrington, Vice-Chairman, Eddie Dean
William L. Crigler, Member
Bob Miller, Member
Clark Powers, Member
V. R. Shackelford, III, County Attorney
Lisa A. Robertson, County Administrator
Jacqueline S. Frye, Secretary

WILLIAM CRIGLER ARRIVED @ 3:02 P.M.

Chairman, Eddie Dean called the meeting to order and announced that William L. Crigler would be absent; however, a quorum was established.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION

Donald Gore, Resident Engineer, was present and provided the following report: Pearson Construction, Inc. is the low bidder on the Route 642 although an award letter has not yet been forwarded to the contractor; advised that problems have been encountered with the pavement on Route 230 which has nothing to do with the contractor, but with the existing pavement breaking off as work is being implemented – advised that trench widening will be done (existing pavement was put down 15 years ago) and may also look into removing the top layer; surface treatment has not yet begun labor intensive work is now being implemented (i.e. mowing, cutting brush, etc.); discussion has taken place about snow removal – policy did not change from what was in place in 1989 – however, the department has been exceeding the guidelines as denoted in the existing policy – the department will continue all it can based on the current budgeted funding; also provided input on land development (i.e. [46] reviews; inspections) to include special use permits, rezoning applications, site plan/subdivision reviews, new entrance reviews, issuance of permits for entrances, utilities., etc.) – also provided an update on the adopt-a-highway program and how well the program is working – there are currently (23) groups and (5) individuals in the County who have adopted 104 miles of roadway in Madison County – pick-ups from January 1, 2009 through May 4, 2009 totaled 171 hours which yielded 144 bags of trash; also advised that mowing standards

are still being configured – it appears mowing will be implemented on Route 29 from ditch to ditch, Route 230 and Route 231, but secondary roads will only be mowed (one pass) one to three times annually.

James L. Arrington asked if there were any changes implemented in the policy for trash removal and will this still be done prior to the first mowing.

Donald Gore stated mowing will be implemented with “in-house” staff (no longer contracted out; and trash removal will be done but not as thorough within the County as in the past.

James L. Arrington feels the main arteries (highways) within Madison County are growing very rapidly (Route 29 & Route 230).

William L. Crigler asked about the ditches that have been dug along Route 231 (intersection), to which Donald Gore stated was done as part of maintenance detail.

William L. Crigler also asked about a previous question regarding the change in the speed limit between Route 29 at Pratts (55 mph), to which Donald Gore stated has been referred to the traffic engineer – no information provided as of the present time.

Donald Gore commented on the Six Year Road Improvement Plan for FY2010-2014 and reiterated that no projects can be added to the existing plan and most funding will be for federal aid projects; the intersection @ Route 614 is the largest project currently on the existing plan and the department is looking at utilizing federal aid monies for deck replacement on the bridge on Route 621 (i.e. concrete beams) during the summer – also looking at federal roads in other localities and may utilize overlay of plant mixer.

IN RE: PAYROLL & CLAIMS

Chairman, Eddie Dean asked if there were any concerns about the Payroll & Claims Report as presented for April 2009.

Chairman, Eddie Dean stated that based on the contents of the report, it appears all departments are within their percentages, to which Teresa Miller, Finance Director, agreed and stated there are a few line items that have needed to be supplemented; however, all departments have done very well with staying within budgeted funding provided.

After discussion, on motion of James L. Arrington, seconded by William L. Crigler, the warrants issued in satisfaction of payroll for April 2009 (Checks #30110535-543, #30110544 – 554 and electronic transfer #23), totaling \$683,798.42, are hereby approved, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

On motion of James L. Arrington, seconded by William L. Crigler, the warrants issued in satisfaction of claims against the County for April 2009 (Checks #10130492 – 662; 666-761) are hereby approved, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

Chairman, Eddie Dean advised the Board will need to approve the certificate of Claims Capital Fund – April 2009 - [Checks #10130488 – 491; 663-665 & 762] totaling \$343,297.95.

James L. Arrington asked about the percentage of completion of the Courthouse Project, to which Lisa Robertson, County Administrator, stated was about fifty percent (50%) at the current time and it is anticipated the project should be completed by the end of 2009 or early January 2010.

On motion of William L. Crigler, seconded by Bob Miller, the Certificate of Claims Capital Fund – April 2009, are hereby approved, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

Chairman, Eddie Dean advised the Board will need to approve Supplements for May 2009:

General Fund:

1. Park & Recreation Revenue Appropriation	#71100-5690 10-161201	Youth Sports Deposits Recreation	\$ 9,961.25
2. Park & Recreation Revenue Approp.	#71100-5691 #10-161201	Health Fitness Deposits Recreation	\$ 289.00
3. Revenue Refund Revenue Approp.	#92100-5884 #10-180917	Revenue Ref. (primary filing fee) Primary Filing Fee	\$ 352.80
4. EOC (911) Revenue Approp.	#31401-5890 #10-240107	Communication Grant Other programs & grants	\$27,351.03
5. Sheriff – Law Enforc. Revenue Approp.	#31200-3150 #10-230200	Legal expenses (Comp Brd. Reimb) Shared Revenue – Sheriff	\$12,647.46
6. Rapp-Rapidan Plan. Dist. Revenue Approp.	#81600-5897 #10-240107	Grant – Broadband Other programs & grants	\$20,750.00
7. Extension Revenue Approp.	#83500-6020 #10-499999	Books & Subs. (Farmers Mkt.) Accumulated Fund Balance	\$ 1,000.00
TOTAL:			\$72,351.54

School Fund:

#61000-9000 (Instruct) 23-330829	Teaching American History Grant Federal Grants – Other Fiscal Agent	\$ 2,548.00
#61000-9000 (Instruct) 23-242050	Mentor Career Switcher Other School Grants	\$ 1,000.00
#68000-9000 (Tech) 23-180932	Technology E-rate	\$ 8,737.16
TOTAL:		\$12,285.16

GRAND TOTAL OF ALL SUPPLEMENTS FOR MAY 2009: \$84,636.70

After discussion, on motion of James L. Arrington, seconded by William L. Crigler, the supplemental appropriations for the general fund in the amount of \$72,351.54 are approved as presented, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

After discussion, on motion of William L. Crigler, seconded by James L. Arrington, the supplemental appropriations for the school fund in the amount of \$12,285.16 are approved as presented, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

IN RE: MADISON SCHOOLS

Dr. Brenda Tanner was present and stated that last night's Board meeting focused on highlighting student artists; also discussed meal prices and the release of the performance contract (envelope audit) which contains information found on the State's website (i.e. guidelines for the process that should be followed) School officials will fill in the blanks and advised the process is very well organized and will allow some consistency in what is allowed back from all participants. Additionally, Dr. Tanner advised the School Board would like to move forward with this process as they plan to put all school facilities on the contract, and she has spoken with Lisa Robertson, County Administrator, to determine what County facilities can be incorporated – did speak with individuals who work specifically in this field and a sixty-day (60) turnaround was suggested; at the end of that time frame, a request will be made to Madison County Schools regarding energy consumption (i.e. electricity, water, etc.) for the past year. Additionally, there is no cost or obligation until a contract has been implemented.

Dr. Tanner also stated that no final figures have been received to date regarding budget financing from the State, but it has been advised this information should be forthcoming within the next two (2) weeks; also provided highlights of the summer program (to begin at the end of the summer) in the area of reading for At Risk students; also plans to forward a listing of "end of year" school activities to which the Madison County Board of Supervisors is invited to attend.

Chairman, Eddie Dean questioned whether the County would need to make amendments to the FY2010 County Budget in the event the Madison County Schools has to amend its budget.

Lisa Robertson, County Administrator, advised the County can amend the FY2010 budget at any point during the year, if needed.

Teresa Miller, Finance Director, advised that she will converse with the County's consultant to be certain of the procedures should changes need to be incorporated.

V. R. Shackelford, III, County Attorney, advised that a budgetary adjustment will not change the adopted tax rates.

IN RE: FACILITIES

Ross Shifflett, Director of Facilities, was present and provided an update on issues regarding the roving recycling trailer and the recent problems with items having been replaced in the receptacles that weren't recyclable items (i.e. household trash, fuel cans, a/c unit, etc.).

Additionally, Ross Shifflett, Director of Facilities, stated the monthly report provides a breakdown of the pounds of recyclables (annually) and the volume the trailer doesn't provide a significant boost to the percentage; also stated when the roving recycle trailer was first initiated, locations where it was placed were thriving businesses which have now gone out of business; he feels the trailer could be positioned at events where it can be monitored. As a result of the recent wastes that were placed in the containers, items that were recyclables were contaminated and defeated the entire purpose of recycling.

Ross Shifflett, Director of Facilities, also stated the County has spent roughly \$1,000 during the month to Sonoco to recycle goods (i.e. cardboard, newspapers) and it appears that recycled goods aren't really bringing in a lot of revenue at the time because of reduction in prices; although he anticipates this will change.

In closing, Ross Shifflett, Director of Facilities, stated there have been dead animals placed in the containers and the latest string of events creates concerns for the safety of staff who deal with the recyclables; therefore until monitoring can be implemented, he feels the containers need to be situated at a site where they can be

monitored – until this can be arranged, strongly suggested the containers be removed from service for just a while until an alternative solution can be attained.

Chairman, Eddie Dean asked about possible alternative solutions, to which Ross Shifflett, Director of Facilities, advised that contact has been made with some local businesses that will perhaps assist, but no definite decisions have been determined at the present time.

Chairman, Eddie Dean asked if the trailer could be located at the Farmer's Market on Saturday mornings, to which Ross Shifflett, Director of Facilities, stated would be a very viable option as there is a considerable amount of citizens who visit the site on the weekend for the farmers' market and youth sports.

In closing, Ross Shifflett, Director of Facilities, stated the idea of the roving recycling trailer was brought forth in 1994; of course things have changed considerable since that time and many businesses were thriving, but are no longer in operation – whatever methods is eventually used is one that the department would like to see be very successful.

William L. Crigler asked if the unit could be redesigned to constrict depositing certain items, to which Ross Shifflett, Director of Facilities, stated the existing design was deemed appropriate to handle the depositing of basic recyclables (i.e. paper, aluminum) and feels that Judy Ann Fray (former Recycling Coordinator) did an excellent job with the layout for the purposes it was intended for and works very well; problems have really be increasing within the past six (6) weeks.

Ross Shifflett, Director of Facilities, stated the largest recyclable item is glass (eighty-one tons), (513) tons of metal and (41) tons of tires – also working with local businesses that provide recycled batteries (currently [20 tons]) – there are a lot of items that aren't incorporated to be recycled at this time.

James L. Arrington asked about the tonnage of chipping, to which Ross Shifflett, Director of Facilities, advised was 304 tons (from brush).

Lisa Robertson, County Administrator, suggested the Madison County Board of Supervisors allow trailers to be unavailable for a short period of time until something can be worked out until a viable site can be considered at a later time for citizen usage –

this action will be made known to the local citizens just in case there are concerns verbalized.

Chairman, Eddie Dean asked if these same types of problems are taking place in other localities that offer unmanned sites, to which Ross Shifflett, Director of Facilities, advised “yes.”

V. R. Shackelford, III, County Attorney, advised that Orange County has closed all their unmanned recycling sites because of the same issues that have been discussed today.

IN RE: CHAMBER OF COMMERCE

Tracey Williams, Tourism Director, was present and stated she'd be happy to check with local businesses to see if anyone would be interested in taking on the responsibility of housing the roving trailer @ their sights and might have cameras @ their locations; she also stated it's business appreciation and tourism week – appreciation dinner was successful and thanked the Board for their representation; business exp will be held on May 14th – businesses will be giving away prizes, there will be barrel rides for the kids, and other perks; E.A. Clore Furniture opened their grand showroom (old IGA building) and grand opening will be Memorial Day weekend; next mixer date will be June 25th @ the Old IGA building; GMMSP meeting held on April 1st; visitor center had 75 visitors in April and 5,086 hits since the last month; town guides look very good; attended statewide Tourism Summit in Nelson County April 20th through 22nd and won the drawing for a half page ad in the 2010 Virginia Tourism Guide (offer worth \$14,000.00); tour de Madison will be held Saturday, May 16th – many town businesses are offering discounts; Habitat for Humanity walk-a-thon on May 17th; Madison County was also featured in Log Home Living magazine as one of the best places to build a log home; Sweely Estate Winery had a great turnout for the first sippin' into sunset – this takes place every Friday from 5:00 p.m. to 8:00 p.m.; also stated that June 23rd will be the day for Bike VA – anticipates that local business will host the bikers with open arms and provide discounts and special deals – trying to arrange inexpensive entertainment; applications still coming in for Taste of the Mountains Festival; requests will be mailed soon for the annual parade scheduled for July 2009.

Tracey Williams Gardner also provided an update on Fritz Brittain (former Economic Director for Madison County).

IN RE: E911 CENTER

Robert Finks, E911 Coordinator provided the following report for April 2009:

Calls were within normal ranges; also provided a copy of a press release regarding the code red system; also stated the code red system is now operational – citizens will need to register their telephones online by opening the County’s website and follow the link to register telephones for the code red system and the code red weather alert (to include businesses) – the service is free of charge and was funded by a grant; also stated he appropriation that was approved earlier is a grant the County received in conjunction with Orange & Louisa County(ies) and another check should be received during the next week (second half) of the authorized funds. He stated the grant will provide for back-up E911 assistance in the event that a mishap takes place with the E911 Center in Madison County for more than one (1) hour and evacuation becomes necessary for the entire Madison E911 Center, all dispatchers can travel to the Orange County E911 Center and continue business as normal (i.e. radio, mapping, telephone) and all operations for Madison County can continue from Orange County’s E911 Center; therefore the same capabilities can be provided to Orange County if a mishap takes place in their locality (Orange and Madison will back up one another); also attended a meeting in Orange with Mark Outten of the Madison County Schools to discuss forming a group to look at broadband options for Madison County along with Orange, Louisa, Fluvanna and Greene – it is anticipated with the prospective stimulus funds that will be disbursed, there will be much opportunity for broadband for communities and also for school systems and public safety; therefore, Mark Outten is trying to get all the pieces together to determine funding availability for the aforementioned localities that will create a cost savings for the group of localities, as well as assess the guidelines – more meetings will be scheduled and the County Administrator will be asked to attend.

Robert Finks stated the Code Red System should be up and operational

within the upcoming week and a test call will probably be made to all citizens of Madison County with sign up information. Additionally, the system will process 60,000 telephone calls per hour; however, in Madison County, it is uncertain what the Verizon infrastructure can handle; therefore, the test call will determine this information.

Lisa Robertson, County Administrator, asked if all citizens will have one basic telephone number in the service, to which Robert Finks stated the data base for Verizon has been pulled – if a telephone number is unlisted, there will be no numbers entered; however, if there have been changes, a telephone call will be made. Additionally, it has been strongly suggested that all citizens go to the County website and sign up; even if a citizens signs up six (6) times, the system has been designed to recognize duplicate information and automatically discard it. It is strongly suggested that citizens not assume their information is automatically entered and the system is also capable of accepting cellular and business telephone information.

In closing, Lisa Robertson, County Administrator, advised this information needs to be disseminated to the older citizens as they may need assistance in getting signed up.

Robert Finks advised the press release contained the County's website and that if someone doesn't have access to the internet, they are to forward their information (i.e. name, address, telephone number, etc.) to his attention and he will enter the information rather than do it telephonically.

Lastly, Robert Finks clarified that citizens will have to opt in for the weather alerts if they so desire to receive this information; he also advised the weather alerts coincide with the NOAA Weather System out of Sterling, Virginia – calls are automatically made to the telephone numbers that are within the region of any anticipated storms; furthermore, he advised the Code Red System is actually implemented by County personnel and this system can be utilized County-wide or by geographical regions.

James L. Arrington thanked Robert Finks for today's update and for his efforts in getting this system in order.

IN RE: EMERGENCY PREPAREDNESS

Carl Pumphrey, Emergency Services Coordinator, was present and provided a written report for activities for April 2009; also advised he attended a meeting of emergency providers and it was suggested that based on past history and repeated emergency situations, localities should have a plan developed and in place to deal with certain emergencies – it is anticipated that a plan will be in place and ready for review/adoption at the next meeting; also provided information on the IFLOW system and met with the E911 Coordinator to advise the Virginia Department of Emergency Management is looking to update the system statewide; also have given the E911 Coordinator and the Emergency Services Provided permission to proceed with preparing a list of needed items for Madison County in the event of upcoming emergency situations.

In closing, he also provided an overview of the local capability assessment for readiness for Madison County – report is fifty percent (50%) complete and will be submitted to the Virginia Department of Emergency Management for review – rating for Madison County is currently at 98%; also advised the Shenandoah National Park is experiencing some problems with the Old Rag parking lot (top level) and emergency access problems (lot will be blocked in the near future).

William L. Crigler questioned whether grant funding is a matching grant, to which Carl Pumphrey advised it was not.

IN RE: MADISON VOLUNTEER RESCUE SQUAD

William L. Crigler read the following report provided by the Madison Volunteer Rescue Squad for the month of April 2009:

Medical emergencies:

- 29 Transports
- 2 No treatment required
- 1 Cancelled
- 2 Patient refusal

MVC:

- 1 Transport
- 1 Patient refusal
- 1 Cancelled

Injury not listed (falls):

4 Transports

Mutual Aid:

- 1 Driver responded
- 2 Greene (unable to assist)

First responder:

- 1 First responder (transported by Reva)

No call sheets:

- 3 calls

Total calls for the month of April 2009: 47

IN RE: LAW ENFORCEMENT & COURT SECURITY

Erik Weaver, Sheriff, provided the following report for April 2009:

- 1. Calls for service: 1,096
[(250) more calls than last month – mainly due to domestic and theft incidents]
- 2. Criminal arrests: 25
- 3. Civil process: 393
- 4. Days of Court: 15
- 5. Traffic related summons: 286
- 6. Court security fees to Treasurer: \$2,900.00
- 7. Local fines paid to Treasurer: \$14,000.00

Erik Weaver, Sheriff, advised he met with a Ford Dealer representative and was offered the opportunity to purchase 2010 vehicles at 2009 prices with trade in; feels this will allow about \$2,500 to \$3,000 per trade in; also stated that Deputy Jenkins has learned about another other vehicle bids that are cheaper than state vehicle bids (leasing).

In closing, Erik Weaver, Sheriff, advised the cars are available if the County wishes to purchase them through September-October 2009; also discovered another grant will be available to assist with the purchase of bullet-proof vests – Deputy Jenkins is researching this opportunity.

IN RE: ZONING FEES & BUILDING PERMITS

Lisa Robertson, County Administrator, stated the zoning report shows a slight increase from the past month for in the area of subdivision plats.

Lisa Robertson, County Administrator, stated the building fees are still showing a decrease but commercial permits appear to be holding reasonably steady as is also the case with plan reviews.

IN RE: US CENSUS BUREAU (Presentation)

William Ward, Partnership Specialist Team Leader for the United States Census Bureau, was present to address the Board on the 2010 Census, and thanked Lisa Robertson, County Administrator, for the invitation to come address the Madison County Board of Supervisors. Additionally, Mr. Ward provided an overview of his duties and provided details of the process, and the benefits of the process; also stated that a massive communications campaign would be implemented which will include extensive outreach by an extensive network of partners, paid advertising, public relations and census in school – the campaign will draw on the successful partnership and marketing efforts utilized in the 2000 census and is based on the simple understanding that greater efforts must be expended in order to reach hard to count groups and less effort will be needed for those who are more inclined to cooperate with the providing of statistics. Also stated there will be groups that will visit dormitories, prisons, nursing homes, etc. in order to count individuals where they are; he also provided basis for tracking those who are “homeless” and how this information will be collected for counting.

In closing, Mr. Ward stressed the importance of Madison County to become a census partner with the US Census Bureau and declare through a Proclamation or other type of document, the County’s willingness to support the 2010 census so citizens will understand the Board’s support in what will be taking place.

James L. Arrington asked if the US Census Bureau has decided whether to utilize physical sampling in order to count the homeless individuals, to which Mr. Ward stated that physical sampling will not be utilized.

James L. Arrington asked if local citizens will be hired to assist with the taking of the census.

William Ward stated the Bureau has already hired local individuals for the local address canvassing operation that is underway and the Bureau plans to hire individuals who have an interest in the community in which they reside because citizens have such a distrust of the US Government – when citizens see fellow citizens from the community, this alleviates some of their fears and distrust; additional census offices will be opened in August 2009 and individuals can begin applying for some of those management positions effective May 9, 2009 for these offices – he provided a toll-free number of (866) 861 2010 and an information packet will be left. Additionally, during the spring of 2010, the US Census Bureau will be hiring for the non-response follow up; there will be many individuals needed to assist with conducting the census.

In closing, Mr. Ward stated that many individuals feel the US Census Bureau counts people, but this isn't so – the active census process is an enumeration process which is based on the information provided by citizens from the questionnaire they complete that denotes how many people reside at each individual home.

Erik Weaver, Sheriff, asked if the current US Census Bureau personnel carry identification and whether there will be markings on their vehicles to denote their intentions.

William Ward stated the Madison County Sheriff's Office should've received a newsletter from the US Census Bureau Headquarters announcing identifying markers for census takers and their automobiles to denote they are on official business – the reverse side of the cards contains a privacy statement that will let citizens know the census taker will keep all obtained information private and it will not be shared with anyone; although field worker badges will not be a pictured id, it will have a Department of Commerce seal stamped and a toll-free number which citizens can call to verify that census workers are in the field and they are a census employee.

William L. Crigler questioned what type of information will be shared with localities once the census process has been completed, to which William Ward advised that after all information is taken, aggregate numbers have to be delivered to the President of the United States after December 31, 2010 – once this process has been completed, the President and Congress meet to decide how federal funds will be disseminated on a state/community level; in March 2011, aggregate data will be available

to surrounding localities (including Madison) to be utilized for redistricting and zoning purposes.

In closing, William Ward stated the public needs to understand that once this information is received by the US Census Bureau, it does not become public domain (personal identifiable information) until after seventy-two (72) years; however persons who are in the field of genealogy and grant writing utilize this data to help obtain certain facts. Although there have been local citizens hired for the initial phase, additional hiring will take place later in 2010 – individuals can also dial the toll-free number or log onto www.2010censusjobs to seek employment – a news release is also published in all local newspapers or by word of mouth from census partners.

Chairman, Eddie Dean thanked Mr. Ward for attending and providing an update on the census process.

William Ward advised he will be leaving a partnership agreement which will allow the Census Bureau a means of tracking who is working with the bureau to assist in getting census information out, as well as a listing of things communities (or a business) to help promote the census process (i.e. allowing census takers to get information, post notices, etc.) He also provided an overview of the information packet that will be left today and details as to how documents should be completed and returned to his office in Charlottesville (Palmyra) and a copy will be returned to the Board for reference.

In closing, questions were asked about prospective hiring of local citizens – William Ward reiterated the census website and toll-free number and also strongly suggested anyone interested in being considered for supervisory positions to go to the website (www.2010censusjobs) beginning May 19th – individuals that previously applied for address listing positions are now being considered for some of the supervisory positions – promoting is done ‘in-house’ and after May 19th, the positions are open to the general public.

IN RE: PUBLIC COMMENT

Chairman, Eddie Dean opened the floor for public comment – there was none.

IN RE: PROPOSED SCHOOL “ESCROW” ACCOUNT

Lisa Robertson, County Administrator, stated the Board has been given information regarding the establishment of special funds for Madison County Public Schools for FY10 and Resolutions for consideration; also explained an overview regarding localities being allowed to set up escrow funds (i.e. money from various sources can be placed in reserve over a period of time) that can be utilized from the lottery, construction, textbooks) – Dr. Brenda Tanner will further explain this process; however, this type of account cannot be established unless the Madison County Board of Supervisors approves today’s request.

Dr. Brenda Tanner, Superintendent, provided further information regarding the information contained in today’s chart; she also stated most of the items listed in today’s chart are the same that have been discussed during previous joint meetings; also stated separate accounts have to be designated/appropriated and authorized by the Madison County Board of Supervisors.

Dr. Brenda Tanner, Superintendent, stated the Madison County School System has tried to be extremely conservative this year, as there has been no indication as to how sales tax or other funding will be distributed to the school district; therefore, the school system would like to utilize a portion of funding on projects during the month of June (after school is completed) for construction, renovations, and local maintenance projects – it is anticipated the school system will be able to look at what repairs can be done and refrain from returning unused state funding and have those funds earmarked for constructional purposes.

James L. Arrington stated funds are currently attained through the lottery and construction; however, since current funding isn’t being segregated into specific categories but is on a fiscal year balance and if it isn’t utilized it flows back to the state, to which Dr. Tanner advised was correct. In essence, James L. Arrington wanted to clarify that development of an escrow account would broaden the fiscal year boundaries for retaining these funds.

V R. Shackelford, III, County Attorney, questioned the investment policy and whether there are limits as to how much funding can be accumulated.

Lisa Robertson, County Administrator, advised that current statutes indicate these types of accounts are “public funds that will invested the same as other public funds” – these funds are handled and invested by the Treasurer the same as regular County funds subject to the same restrictions; there is information in the statutes that indicate there are restrictions if the funding is utilized for certain types of debt service (i.e. legal opinion, bond counsel); in the future, there might be additional statutes to be considered to determine the management of funding.

V. R. Shackelford, III, County Attorney, asked if there are any limits on how much funding can be retained, to which Lisa Robertson, County Administrator, advised there is not.

Chairman, Eddie Dean asked how much lottery funding will be utilized.

Tina Cropp, Finance Officer for Madison County Schools, advised that all funding hasn’t been allocated as of yet, but estimated the amount to be about \$200,000.00 with a local match.

Dr. Brenda Tanner, Superintendent, stated when the school system takes the lottery money, certain perimeters must be adhered to (i.e. projects) and there must be a local match for these funds; however, there is no guarantee of the total amount this year.

Chairman, Eddie Dean asked if there needed to be a 100% match and also about construction, to which Tina Cropp, Finance Officer for the Madison County Schools, stated the match will be very close and the facilities budget was about \$120,000.00 with a fifty-percent (50%) match. .

Chairman, Eddie Dean wanted to clarify the funding for construction that has been designated by the State is \$115,000.00, and in order to get this funding, there must be a fifty-percent (50%) local match, Dr. Brenda Tanner, Superintendent, agreed.

Dr. Brenda Tanner, Superintendent, also advised of guidelines in place for construction funds with regard to maintenance work that is being considered in the maintenance budget – these funds also qualify and do not have to be utilized on a renovation project in order to require a match (i.e. technology, infrastructure, etc.).

James L. Arrington questioned whether the carryover money will need to be returned to the State, to which Tina Cropp, Finance Officer for Madison County Schools, advised anytime funds aren't fully utilized (State funds), these funds will have to be returned.

Additionally, Tina Crop, Finance Officer for Madison County Schools, stated if the funds being discussed today can't be rolled into an escrow account and if these funds aren't fully spent, all monies must be returned – the old “carryover funds” were local funding (in the past).

Chairman, Eddie Dean discussed various scenarios for the \$200,000.00 and whether or not it had been spent; he feels if the Madison County Schools had a viable CIP that listed projects then all these funds could be spread out (including the match) during the year, or it could all be carried over for another year.

Dr. Brenda Tanner, Superintendent, stated the escrow account will allow such flexibility, and used the textbook account as an example since this is a match that has to be incorporated annually; additionally, some years there are large adoptions and textbooks can be very costly, therefore, the localities need to be approached for local funds to meet this need. However, should an escrow account be established and textbooks do not have to be replaced, these funds could be set aside and built on until another year of a textbook adoption and there would be sufficient funds to support this claim. This will also allow the Madison County Schools to manage the project (if it's large) by setting money to the side for future usage.

Chairman, Eddie Dean asked how much funding was available for textbooks during the present year, to which it was stated was about \$100,000.00 which could also be utilized for instructional review – the match is close to one hundred percent (100%).

William L. Crigler asked if the matching percentages are already in place, to which Chairman, Eddie Dean advised these funds are already incorporated into the budget and isn't new money.

Chairman, Eddie Dean verbalized additional examples for funding that wasn't spent and half returned – also touched on local money being placed into the escrow account.

Lisa Robertson, County Administrator, advised that local money doesn't get placed into the escrow account, but State funding only.

Lisa Robertson, County Administrator, explained that before any expenditure(s) can be made from the escrow funds, the Board will have to make the appropriation and there would be verification that a local match can be attained from local funding.

William L. Crigler asked if the escrow account accumulated a large sum within the next few years whether the County will have to come up with an equal match to pull these funds, to which Dr. Brenda Tanner, Superintendent, advised the funds are matched prior.

Dr. Brenda Tanner, Superintendent, stated the school system would have to show the match has been made before denoted funds can be attained.

Lisa Robertson, County Administrator, questioned procedures regarding state funding and guidelines for the match and how this has been handled in the past.

Tina Crop, Finance Officer for Madison County Schools, explained the school system spends all the state funds annually so that nothing is returned (along with the match); establishing the escrow account will enable the school system to attain the state funds if they aren't fully utilized at the end of the year – if these funds can't be placed into an escrow account, the school system generally spends the funds so they aren't lost.

Chairman, Eddie Dean asked if this escrow account will need to be in effect prior to June 30, 2009, to which Dr. Brenda Tanner, Superintendent, stated was accurate.

Dr. Brenda Tanner, Superintendent, stated it hoped the school system can proceed with establishing the escrow account – if this isn't going to be implemented, the school system will need to make sure the June projects can be funded.

Bob Miller, Member, questioned the final column on the document that pertains to "reports from the State" is the column has always been zero in past years; he stated in the history that he has reviewed this school document; this particular item has always been zero.

Dr. Brenda Tanner, Superintendent, advised the school system would like to cover the match in all category areas.

Lisa Robertson, County Administrator, questioned whether the match will need to be spent in order to attain the funds that are being held in the escrow account.

Dr. Brenda Tanner, Superintendent, advised that she didn't bring all the reports today, but believes this is one of the conditions for this year; she also feels this is probably an ongoing policy.

Bob Miller, Member, asked what is being proposed in next year's school budget for spending in the category of "lottery funds", to which Dr. Brenda Tanner, stated she will have to retrieve documents and report later.

Additionally, Dr. Brenda Tanner, Superintendent, stated the category in question will also include maintenance, equipment, technology, etc. –

After discussion, Chairman, Eddie Dean stated he wasn't prepared to provide a vote on today's issue and feels there needs to be a CIP for the school system that has some meaning; feels if the County is going to make this type of commitment then there needs to be a county-wide CIP that includes County & School projects developed by a firm that can put some real numbers with proposed projects.

Chairman, Eddie Dean suggested a Joint Meeting be scheduled between the Madison County Board of Supervisors and the Madison County School Board to further discuss this issue, to which James L. Arrington agreed.

After discussion, the Board decided to table discussion of this issue until a Joint Meeting can be scheduled in order to attain further information.

Chairman, Eddie Dean stated the concept of being able to accumulate state funding in order to fund large projects looks to be very good; however, more information is needed with regard to the matching funding before a final decision is made (in his personal opinion), to which James L. Arrington agreed.

Dr. Brenda Tanner, Superintendent, advised there has been no finalized information from the State regarding the school construction grant for the future, and there has also been comments that changes will be made regarding lottery funds

Lisa Robertson, County Administrator, feels that since there are no final figures, it will be difficult to determine whether the local match can even be spent before there is a local match.

Concerns were verbalized about when a Joint Meeting can be scheduled; as per Tina Cropp, Finance Officer for Madison County Schools, stated funds aren't returned to the State until September – if funds will need to be returned, this will come from the County's general operating account.

Lisa Robertson, County Administrator, asked what plans were made at first regarding how to spent this money, to which it was indicated that an escrow account was being investigated

Dr. Brenda Tanner, Superintendent, stated they have estimates for small projects that need to be accomplished during the month of June after school is over; if the escrow account is accepted, a request to delay the timeline on the performance review be incorporated and have the contractors return in July 2009.

After discussion, a tentative date for the Joint Meeting were Tuesday (5/18), Wednesday (5/20) or Thursday (5/21) evening or daytime (Tuesday/Wednesday)

V. R. Shackelford, III, County Attorney, asked if action will be taken at the Joint Meeting, to which Chairman, Eddie Dean felt the Board can continue the meeting.

Lisa Robertson, County Administrator, stated that a notice of a special meeting can be posted within three (3) days notice, if possible.

James L. Arrington, Member, asked if the Madison County School Board approved the concept of an escrow account, to which Dr. Brenda Tanner, Superintendent, advised they did.

Chairman, Eddie Dean suggested a Board representative and Lisa Robertson, County Administrator, meet to discuss the concept of the escrow account prior to the Joint Meeting.

Lisa Robertson, County Administrator, advised she will contact Dr. Tanner to discuss the Superintendent's Report and will exchange questions/comments tomorrow.

IN RE: RESOLUTION – Approval/Acceptance of FEMA Animal Trailer Funding

Lisa Robertson, County Administrator, stated the Board will need to discuss and adopt a Resolution for Emergency Preparedness regarding federal financial assistance for the purchase of a companion animal mobile equipment trailer on behalf of the Virginia Department of Homeland Security for the rescue of pets in the event of a natural disaster. Therefore, the department is willing to provide funding to Madison County for the purchase of the trailer as the law now requires to be done. Additionally, Carl Pumphrey, Emergency Services Coordinator, has researched and found a trailer that meets the requirements and the Pet Act of 2006 – the Resolution is one forwarded by the Virginia Department of Homeland Security for adoption/approval.

Chairman, Eddie Dean reiterated the Board is passing tonight's Resolution to accept this trailer, to which Carl Pumphrey, Emergency Services Coordinator, advised was correct.

Lisa Robertson, County Administrator, stated the Resolution is denoting the Board will authorize the County Administrator to take whatever action is necessary to accept the federal financial assistance, which is still appropriate, as the trailer is being awarded to the County on the part of the Department.

Chairman, Eddie Dean asked what limitations (if any) are in place regarding the usage of the trailer.

Carl Pumphrey, Emergency Services Coordinator, advised he hasn't been advised of any specific limitations; however, the requirements are already agreed upon in that Madison County will assist other communities should there be a natural disaster and the trailer has no specific purpose as long as usage is within the guidelines of transporting domesticated animals to a safer site.

Chairman, Eddie Dean asked if the trailer could be used to transport animals from the Animal Shelter to a veterinarian's office, to which Carl Pumphrey, Emergency Management Services Coordinator, advised he would check.

James L. Arrington, Member asked if any vehicle would need to be purchased to pull the trailer, to which Carl Pumphrey, Emergency Management Services Coordinator, advised was not necessary.

William L. Crigler asked about the life expectancy of the trailer and whether the trailer can be sold up upgraded, to which Carl Pumphrey, Emergency

Management Services Coordinator, advised there are no conditions in place regarding this factor and feels from a long range standpoint, the trailer might need tires and basic upkeep – doesn't anticipate the trailer will need to be returned.

Carl Pumphrey, Emergency Management Services Coordinator, advised he didn't anticipate any significant guidelines for usage, but deems the County will assist other localities if needed during an emergency situation in order to bring the domesticated animals to safety (small animal cages – no cattle or large animals).

Lisa Robertson, County Administrator, advised the trailer is caged to hold a number of small, household animals (no cattle or large animals).

Carl Pumphrey, Emergency Management Services Coordinator, stated the trailer can be utilized as a remote, temporary shelter in the event a tornado traveled through the Animal Shelter, the County and can house at least sixty-five (65) animals (i.e. dogs, cat) – the trailer has lighting, generator, cages, heating/cooling, etc.

RESOLUTION

AUTHORIZING THE ACCEPTANCE OF FEDERAL GRANT FUNDING FOR THE PURCHASE OF A COMPANION ANIMAL MOBILE EQUIPMENT TRAILER

BE IT RESOLVED by the Board of Supervisors of Madison County, Virginia, **THAT** Lisa Robertson, County Administrator, is hereby authorized to execute for and on behalf of the Madison County Board of Supervisors, a public entity established under the laws of the Commonwealth of Virginia, any actions necessary for the purpose of obtaining federal financial assistance provided by the Federal Department of Homeland Security and sub-granted through the Commonwealth of Virginia, for the purchase of a companion animal mobile equipment trailer.

Approved this 12th day of May, 2009, on motion of William L. Crigler, seconded by James L. Arrington.

Eddie Dean, Chairman
Madison County Board of Supervisors

	Aye	Nay	Absent	Abstain
Eddie Dean	<u>x</u>	_____	_____	_____
James L. Arrington	<u>x</u>	_____	_____	_____
William L. Crigler	<u>x</u>	_____	_____	_____
Bob Miller	<u>x</u>	_____	_____	_____
Clark Powers	<u>x</u>	_____	_____	_____

Attest

Lisa Robertson,
Madison County Administrator

IN RE: FINANCE COMMITTEE REPORT

Lisa Robertson, County Administrator, stated the Madison Finance Committee has completed a written report to denote their recommendations as to whether or not to initiate a business/professional occupational license tax (BPOL tax) within Madison County; after much review and investigation, based on the face the community doesn't have a lot of computerized data or the type of means to keep track of the number of businesses, it has been rather difficult to compile any estimates; therefore, it is deemed moving forward with a BPOL tax isn't feasible for Madison County at the present time. Also, the Finance Committee may investigate this option further in the future should business growth increase within the community.

Chairman, Eddie Dean stated the Madison County Board of Supervisors will accept this report as information and will discuss it further during the next meeting after all members have had a chance to read the report.

Bob Miller asked if the Madison Finance Committee discussed initiated a business license fee and not a tax based on revenue.

Lisa Robertson, County Administrator, advised the tax the Finance Committee is investigating is only a part of the equation; depending on what level of revenue is being considered, the BPOL tax can either be a flat fee or a tax on gross revenue (several descriptions in the statutes) depending on the business level of receipts; however, there are certain restrictions (such as if a business doesn't have at least \$50,000.00 in revenue) in which the only tax that can imposed is a licensed tax (i.e. based on gross receipts or flat fee)

IN RE: PROPOSED IDENTITY THEFT POLICY

Lisa Robertson, County Administrator, stated she has recently been aware that due to a new federal law that took effect in April 2009 (The Fair & Accurate Credit Transactions Act & Amendment), every locality is required to draft a policy on identity theft prevention. The document being presenting is a draft incorporated by VACo and applies to entities that maintain certain types of accounts that may permit multiple transactions at a time. For the most part, Madison County doesn't have many transactions (with the exception of the Madison Treasurer's Office) that fall within the vein of this; however, given that VACo has prepared a model policy for use by local governments, it has been recommended that all localities adopt this policy in order to be in compliance with the law and continue existing efforts to ensure data sources are secure in the event there is a breach of security to be committed.

Lisa Robertson, County Administrator, feels the policy is reasonably simple and feels the staff at VACo who drafted the document did an excellent job with the language contained therein. Additionally, the blanks within the policy; if the Madison County Board of Supervisors adopts the policy, the name "Madison County Board of Supervisors" should be entered as the 'establisher' of the program; the other two blanks within the document regarding the 'person who will be responsible for administration and oversight of the program' should be "Lisa Robertson, County Administrator."

Clark Powers questioned whether the policy will cover acts of identity theft committed through computer systems.

Lisa Robertson, County Administrator, stated with regard to the types of accounts covered by the policy, mainly financial accounts (multiple) are covered and will be an issue in the Madison Treasurer's Office; however, as time progresses, if payments are accepted for recreational programs by way of the internet and there are County accounts that are utilized for these types of financial transactions, the County will be sure to comply with federal laws regarding the monitoring of this data to ensure security and a program is in place to safeguard this data.

V. R. Shackelford, III, County Attorney, asked if the policy applies to cash payments – he also asked if the Madison Treasurer’s Office is set up to take electronic payments.


Lisa Robertson, County Administrator, stated the definition of “covered accounts” it describes this as an account offered through a mechanism that allows multiple transactions over a period of time – there are several categories for “other accounts” – however, as long as the situation isn’t one in which collections call for a lot of personal data, there should be no real issues. Additionally, she believes the policy will apply to the Madison Treasurer’s Office – the County will need to ensure the computer system is set up so the programs recognize the red flags denoted in the program and can be identified by staff within the Madison Treasurer’s Office.

In closing, Lisa Robertson, County Administrator, stated the existing policy sets up a program and a discussion will be incorporated with applicable Department Heads (to include Constitutional Offices) to determine which accounts will be monitored.

Bob Miller stated Park & Recreation currently utilizes the Madison Treasurer’s Office as a third party for receiving payments, and wondered whether the policy would apply to the “third party,” to which Lisa Robertson, County Administrator, stated the policy would apply to the “third party” - the law also applies to the “vendor.”

William L. Crigler verbalized as to whether moving forward with incorporating the policy will create much hardship on any one department, to which Lisa Robertson, County Administrator, advised that concerns will be discussed at the Department Head Meeting and departments will be made aware of the specifics and how their departments (if applicable) may be effected – contact will be made with V. R. Shackelford, III, County Attorney, should there be additional concerns regarding the legal aspect of the policy.

James L. Arrington asked if the County will need to advertise this policy, to which Chairman, Eddie Dean stated this was not necessary as this is a policy only and not an Ordinance.

BOARD OF SUPERVISORS POLICY: IDENTITY THEFT PREVENTION	
DATE OF APPROVAL: x, 2009	PUBLIC RECORDS MANAGEMENT
ATTEST: <i>Lisa Robertson</i> <i>County Administrator</i>	

Purpose

The purpose of the program is to establish an Identify Theft Prevention Program designed to detect, prevent and mitigate identity theft in connection with the opening of a covered account or an existing covered account and to provide for continued administration of the Program in compliance with Part 681 of the Title 16 of the Code of Federal Regulations implementing Sections 114 and 315 of the Fair and Accurate Credit Transactions Act (FACTA) of 2003.

Definitions

Covered account mean:

1. An Account that a creditor offers or maintains, primarily for personal, family, or household purposes that involves or is designed to permit multiple payments or transactions. Covered accounts include utility accounts; and
2. Any other account that the creditor offers or maintains for which there is a reasonably foreseeable risk to customers or to the safety and soundness of the creditor from identity theft, including financial, operational, compliance, reputation or litigation risks.

Credit means the right granted by a creditor to a debtor to defer payment of debt or to incur debts and defer its payment or to purchase property or services and defer payment therefore.

Creditor means any person who regularly extends, renews, or continues credit; any person who regularly arranges for the extension, renewal, or continuation of credit; or any assignee of an original creditor who participates in the decision to extend, renew, or continue credit.

Identifying information is any name or number that may be used, alone or in conjunction with any other information, to identify a specific person, including: name, address, telephone number, Social Security number, date of birth, government issued driver's license or identification number, alien registration number, government passport number, employer or taxpayer identification number, unique electronic identification number, computer's Internet Protocol (IP) address, or routing code.

Identity Theft means fraud committed or attempted using the identifying information of another person without authority.

Red flag means a pattern, practice or specific activity that indicates the possible existence of identity theft.

The Program

The Madison County Board of Supervisors has established an Identity Theft Prevention Program to detect, prevent and mitigate identity theft. The Program shall include reasonable policies and procedures to:

1. Identify relevant red flags for covered accounts it offers or maintains and incorporated those red flags into the program;
2. Detect red flags that have been incorporated into the Program;
3. Respond appropriately to any red flags that are detected to prevent and mitigate identity theft;
and
4. Ensure the Program is updated periodically to reflect changes in risks to customers and to the Safety and soundness of the creditor from identity theft.

The program shall, as appropriate, incorporate existing policies and procedures that control reasonably foreseeable risks.

Identification of Relevant Red Flags

In order to identify relevant Red Flags, the locality considers the types of accounts that it offers and maintains, the methods it provides to open its accounts, the methods it provides to access its accounts and its previous experience with identity theft. The locality identifies the following red flags, in each of the listed categories:

- A. Notifications and Warnings From Credit Reporting Agencies
 - Report of fraud accompanying a credit report;
 - Notice or report from a credit agency of a credit freeze on a customer or applicant;
 - Notice or report from a credit agency of an active duty alert for an applicant;
and
 - Indication from a credit report of activity that is inconsistent with a customer's usual pattern or activity.
- B. Suspicious Documents
 - Identification document or card that appears to be forged, altered or inauthentic;
 - Identification document or card on which a person's photograph or physical description is not consistent with the person presenting the document;
 - Other document with information that is not consistent with existing customer information (such as if a person's signature on a check appears forged); and

- Application for service that appears to have been altered or forged.

C Suspicious Personal Identifying Information

- Identifying information presented that is inconsistent with other information the customer provides (example: inconsistent birth dates);
- Identifying information presented that is inconsistent with other sources of information (for instance, an address not matching an address on the credit report);
- Identifying information presented that is the same as information shown on other applications that were found to be fraudulent;
- Identifying information presented that is consistent with fraudulent activity (such as an invalid phone number or fictitious billing address);
- Social Security number presented that is the same as one given by another customer;
- An address or phone number presented that is the same as that of another person;
- A person fails to provide complete personal identifying information on an application when reminded to do so (however, by law social security numbers must not be required); and
- A person's identifying information is not consistent with the information that is on file for the customer.

D. Suspicious Account Activity or Unusual Use of Account

- Change of address for an account followed by a request to change the account holder's name;
- Payments stop on an otherwise consistently up-to-date account;
- Account used in a way that is not consistent with prior use (example: very high activity);
- Mail sent to the account holder is repeatedly returned as undeliverable;
- Notice to the locality that a customer is not receiving mail sent by the locality;
- Notice to the locality that an account has unauthorized activity;
- Breach in the locality's computer system security; or
- Unauthorized access to or use of customer account information.

E. Alerts from Others

- Notice to the locality from a customer, identity theft victim, law enforcement or other person that it has opened or is maintaining a fraudulent account for a person engaged in Identity Theft.

Detection of Red Flags

A. New Accounts

In order to detect any of the Red Flags identified above associated with the opening of a new account, the city's/ town's or county's personnel will take the following steps to obtain and verify the identity of the person opening the account:

- Require certain identifying information such as name, date of birth, residential or business address, principal place of business for an entity, driver's license or other identification;
- Verify the customer's identity (for instance, review a driver's license or other identification card);
- Review documentation showing the existence of a business entity; and
 - Independently contact the customer.

B. Existing Accounts

In order to detect any of the Red Flags identified above for existing account, the city's / town's / county's personnel will take the following steps to monitor transactions with an account:

- Verify the identification of customers if they request information, whether in person, via telephone, via facsimile or via e-mail;
- Verify the validity of requests to change billing addresses; and
- Verify changes in banking information given for billing and payment purposes.

Response to suspected identity theft

In the event city's / town's / county's personnel detect any identified Red Flags, such personnel shall take one or more of the following steps, depending on the degree of risk posed by the Red Flag:

- Continue to monitor an account for evidence of Identity Theft;
- Contact the customer;
- Change any passwords or other security devices that permit access to accounts;
- Not open a new account;
- Close an existing account;
- Reopen an account with a new number;
- Notify the Program Administrator for determination of the appropriate step(s) to take;
- Notify law enforcement; or
- Determine that no response is warranted under the particular circumstances.

In order to further prevent the likelihood of identity theft occurring with respect to utility accounts, the city / town / county will take the following steps with respect to its internal operating procedures to protect customer identifying information:

- Ensure that its website is secure or provide clear notice that the website is not secure;
- Ensure complete and secure destruction of paper documents and computer files containing customer information;
- Ensure that the office computers are password protected and that computer screens lock after a set period of time;
- Keep offices clear of papers containing customer information;
- Request only the last four (4) digits of social security numbers (if any);

- Ensure computer virus protection is up-to-date; and
- Require and keep only the kinds of customer information that are necessary to utility purposes.

Updating the Program

The Program shall be updated periodically to reflect changes in risks to customers or to the safety and soundness of the organization from identity theft based on factors such as:

- The experiences of the organization with identity theft;
- Changes in methods of identity theft;
- Changes in methods to detect, prevent and mitigate identity theft;
- Changes in the types of accounts that the organization offers or maintains;
- Changes in the business arrangements of the organization, including mergers, acquisitions, alliances, joint ventures and service provider arrangements.

Administration of Program

- **Lisa Robertson, County Administrator**, shall be responsible for the development, implementation, oversight and continued administration of the Program.
- The Program shall train staff, as necessary, to effectively implement the Program; and
- The Program shall exercise appropriate and effective oversight of service provider arrangements.

Oversight of the Program

1. Oversight of the Program shall include:
 - a. Assignment of specific responsibility for implementation of the Program to the city/town/county manager of administrator;
 - b. Review of reports prepared by staff regarding compliance; and
 - c. Approval of material changes to the Program as necessary to address changing risks of identity theft.
2. Reports shall be prepared as follows:
 - a. Staff responsible for development, implementation and administration of the Program

Shall report to **Lisa Robertson, County Administrator**, at least annually on compliance by the organization with the Program.
 - b. The report shall address material matters related to the Program and evaluate issues such as:
 - The effectiveness of the policies and procedures in addressing the risk of identity in connection with the opening of covered accounts and with respect to existing covered accounts;
 - Service provider agreements;
 - Significant incidents involving identity theft and management's response; and

- Recommendations for material changes to the Program.

Oversight of Service Provider Arrangements

In the event the locality engages a service provider to perform an activity in connection with one or more accounts; it will take the following steps to ensure the service provider performs its activity in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of Identity Theft:

- Require, by contract, that service providers have such policies and procedures in place; and
- Require, by contract, that service providers review the locality's Program and report any Red Flags to the Program Administrator.

Duties Regarding Address Discrepancies

The locality shall develop policies and procedures designed to enable the organization to form a reasonable belief that a credit report relates to the consumer for whom it was requested if the organization receives a notice of address discrepancy from a nationwide consumer reporting agency indicating the address given by the consumer differs from the address contained in the consumer report.

The locality may reasonably confirm that an address is accurate by any of the following means:

1. Verification of the address with the consumer;
2. Review of the utility's records;
3. Verification of the address through third-party sources; or
4. Other reasonable means.

If an accurate address is confirmed, the locality shall furnish the consumer's address to the nationwide consumer reporting agency from which it received the notice of address discrepancy if:

1. The organization establishes a continuing relationship with the consumer; and
2. The organization, regularly and in the ordinary course of business, furnishes information to the consumer reporting agency.

ADOPTED this 12th day of May, 2009, on motion of Bob Miller, seconded by Clark Powers, with the "Madison County Board of Supervisors" being denoted as 'entity to establish' an Identity Theft Prevention Program to detect, prevent and mitigate identity theft, and "Lisa Robertson, County Administrator" will be denoted as 'being responsible for overseeing the implementation, oversight, continued administration and compliance of the Program.'

Eddie Dean, Chairman
Madison County Board of Supervisors

	Aye	Nay	Absent	Abstain
Eddie Dean	<u> x </u>	_____	_____	_____
James L. Arrington	<u> x </u>	_____	_____	_____
William L. Crigler	<u> x </u>	_____	_____	_____
Bob Miller	<u> x </u>	_____	_____	_____
Clark Powers	<u> x </u>	_____	_____	_____

Attest:

Lisa Robertson, Clerk to the
Madison County Board of Supervisors

COMMITTEE REPORTS:

Main Street Project:

Chairman, Eddie Dean stated the last funded phase of the Main Street Project should be ready to bid within the next month; when that portion is completed, he motioned that the Madison County Board of Supervisors and the Madison Town Council will re-evaluate where the Main Street Project is going – he feels this issue needs to be reviewed by the Madison County Board of Supervisors for discussion. At the present time, Chairman, Eddie Dean feels the County is making a major commitment of time for Lisa Robertson, County Administrator, and feels this program needs to be discussed and re-evaluated.

Chairman, Eddie Dean also stated he feels the Main Street Project has brought much improvement to the Town of Madison.

In closing, Chairman, Eddie Dean stated his motion was passed during the Main Street Committee meeting.

Additionally, Chairman, Eddie Dean advised the Madison Main Street Committee is a 501-C3 organization that was developed in order to receive the funding the project; he and James L. Arrington sat on the Board along with the County Administrator – the County was denoted as the ‘fiscal agent’ for the project.

Rappahannock-Rapidan Regional Commission:

James L. Arrington stated the RRRC recently had a one-day offsite retreat that was uneventful.

OLD BUSINESS/NEW BUSINESS:

Lisa Robertson, County Administrator, advised that a letter has been forwarded to the Madison County Board of Supervisors from Ms. Bonnie Dixon of Criglersville, Virginia requesting the Board to review the Animal Control Ordinance and guidelines.

Lisa Robertson, County Administrator, stated there have been concerns verbalized complaints about animals within the County that pertain to concerns about Thunder Ridge Kennels, operated by a neighbor (Christopher Martino) – the complaint indicates there are a number of dogs that are not contained within the kennels (roaming free), they have chased and behaved aggressively against a young girl who was a guest at the Dixon's home; therefore, the citizen is asking if there is anything the Board can do to regulate this type of kennel, the number of dogs, and management of the kennel. These citizens have had ongoing difficulties for quite some time (2005 & 2007) – there was a civil suit in the past between the Dixon's and Mr. Martino and in 2008, there was prosecution under the "Dangerous Dogs" law but was appealed to the circuit court and a disposition entered into the system indicates the issue was resolved without conviction.

In closing, Lisa Robertson, County Administrator, stated there is an Ordinance in place within Culpeper County (not a leash law) that regulates guidelines outside of the Animal Control laws with regard to a "kennel" and talk about:

- 1) How a kennel should be set up (minimum standards)
- 2) How the dog(s) should be kept in a commercial kennel operation
- 3) Dogs should be supervised at all times
- 4) A permit is required so the County can keep track of the operation and what is going on there

Additionally, Lisa Robertson, County Administrator, advised that complaints aren't always an indication of a Countywide problem but a neighborhood problem.

Bob Miller feels the document doesn't really denote anything other than the proper care of the animals and the fact they aren't confined on the property (i.e. housed, watered, and fed).

Lisa Robertson, County Administrator, advised that under Section 4-105, Paragraph b states that “Animals should be maintained in quarters so as to prevent their escape” which is a requirement connected with kennel operations.

Bob Miller also stated the neighbor is probably dealing with a high noise level at most times because of residing within close proximity of the kennel.

James L. Arrington stated that Ms. Dixon appeared before the Madison County Board of Supervisors in the past regarding this same situation; he advised that he called the citizen and spoke with her husband. Apparently, the problem is the fact the Dixons reside next to the kennel and the owner lets the dogs out to roam in the river and the animals venture across to the Dixon’s property; additionally, problems have risen since dogs can encroach upon private property (roaming at large) and property owners aren’t allowed to proceed with any recourse of action (no remedy in the County’s Animal Control Ordinance) that can mandate owners keep their dogs under their personal control.

Additionally, James L. Arrington believes the county needs a remedy to the existing Animal Control Ordinance to allow neighbors to proceed with recourse of action to prevent animals from running @ large on the personal property of others or to hunt @ large.

Lisa Robertson, County Administrator, stated that some localities have decided that certain behaviors being demonstrated by businesses who fail to manage control of their kennels which are being operated for profit – these operations sometimes have a large number of dogs that aren’t well controlled and cause much more problems than a single wandering dog. Culpeper County has elected to implement guidelines to control kennels in their community. (copy provided).

Chairman, Eddie Dean asked if Madison County has any guidelines in place to control kennel operations and whether Thunder Ridge Kennels is an approved operation and what does a prospective owner have to special signage, etc.

V. R. Shackelford, III, County Attorney, stated a prospective owner used to need a kennel license, although this is no longer in effect; he read contents of the County’s Ordinance (pertaining to a kennel use permit in C-1) and he also read the definition of a “kennel.”

Chairman, Eddie Dean suggested this concern be referred to Betty Grayson, Zoning Administrator, to see if this particular kennel is a commercial site as there might be a zoning issue.

Bob Miller asked if kennels are regulated by the State, to which Lisa Robertson, County Administrator, advised the regulations are very basic for animal care.

Additionally, these guidelines place more emphasis on the quality of care of the animals rather than how the business is operation

James L. Arrington referred to a letter submitted by George Webb, III, Commonwealth Attorney, asking for consideration to be made regarding amending the Animal Control Ordinance.

Lisa Robertson, County Administrator, stated there was an amendment with regard to 'vicious dogs' but not dogs 'roaming @ large.'

William L. Crigler asked about the definition contained in the Ordinance utilized by Culpeper County, to which Lisa Robertson, County Administrator, placed emphasis on commercial kennel operations (kennels for profit).

William L. Crigler asked if there was a limit on the number animals that count be contained, to which Lisa Robertson, County Administrator, advised was a number specified (five or more) before a kennel could be categorized as commercial.

After discussion, V. R. Shackelford, III, County Attorney, read the description of a "kennel" as contained in the Madison County Zoning Ordinance (with regard to sale and/or boarding).

James L. Arrington asked if the Board would be interesting in incorporating any changes to the County's Animal Control Ordinance with regard to dogs roaming, to which Chairman, Eddie Dean stated it is uncertain if the aforementioned topic fully addressed the concerns regarding today's public letter as it appears the existing problem might, in fact, be a zoning violation and will need to be addressed first.

Bob Miller commended Lisa Robertson, County Administrator, for providing insight regarding tonight's concerns about kennel operations and zoning guidelines (i.e. commercial kennels).

IN RE: PUBLIC COMMENT

Chairman, Eddie Dean opened the floor for public comment and there was none.

Chairman, Eddie Dean recessed the meeting until 7:30 p.m.

7:30 P.M.: Meeting reconvened with Chairman, Eddie Dean calling the meeting to order and noted that a Quorum was present and all members are present.

IN RE: PUBLIC COMMENT

Chairman, Eddie Dean opened the floor for public comment and there was none.

IN RE: PRESENTATION JOURNEY THROUGH HALLOWED GROUND

Chairman, Eddie Dean introduced Cate McGinnis-Wyatt of the Journey through Hallowed Ground Partnership.

Cate McGinnis-Wyatt presented slideshow and overview of the progress the Journey through Hallowed Ground Partnership has made, and also spoke of the outreach program that has been implemented with schools located within the corridor in an effort to engage students to learn of their American Heritage; she also asked the Madison County Board of Supervisors for ways in which the Partnership can assist in getting the word out about historic sites in Madison County as a means of inviting individuals to visit Madison County and encourage tourism and increase revenue.

Cate McGinnis-Wyatt provided input on the highlights of the Partnership and the implementation of Front Line Hospitality Training with the Journey through Hallowed Ground National Heritage Area; also provided an overview of the participating localities within the corridor and the various ideas that many of the localities have come up with to promote and encourage visitors to their areas; she also provided guidelines as to how training will promote tourism, travel or business, as well as travel, within Madison County.

In closing, Cate McGinnis-Wyatt thanked the Board for the opportunity to speak tonight and also provided the Madison County Board of Supervisors with a listing of the implementation Schedule for Winter 2009 through July 2011.

IN RE: MINUTES

Chairman, Eddie Dean advised that Minutes #16 and #17 will need to be approved.

After discussion, on motion of William L. Crigler, seconded by Bob Miller, Minutes #16 are approved as submitted, and spread in Minute Book #16, page through page , with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Abstain
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

After discussion, on motion of William L. Crigler, seconded by James L. Arrington, Minutes #17 were adopted as submitted and spread in Minute Book #16, page through page ,with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Abstain
Clark Powers	Abstain

IN RE: PUBLIC COMMENT:

Jerry Butler was present and stated he reviewed the County's website and it was there one day but gone the next; also asked about prior minutes and whether they will be included on the new update (old website began with 2005).

Chairman, Eddie Dean stated the County's website is up and running.

Lisa Robertson, County Administrator, stated the minutes are being added to the website; however, they are only from 2007 to 2009 at the present but additional years will be added.

Jerry Butler asked if the complete budget will be on the site or just the initial budget summary.

Lisa Robertson, County Administrator, stated the Budget-At-A-Glance is on the site; however, the approved FY2010 Budget has not been added to site just yet.

Bob Miller stated if there is something specific that is needed, the County

office can supply it prior to it being incorporated on the website.

With no further action being required by the Board, on motion of James L. Arrington, seconded by William L. Crigler, Chairman, Eddie Dean adjourned the meeting, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

Date: May 12, 2009